

DALE WILLS
C.D.C. No. J-16405
P.O. Box 5246
Corcoran, CA 93212-5246
IN PRO SE

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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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(ER)

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CW

DALE WILLS,
Petitioner,
v.
JAMES TILTON, et al.,
Respondents.

Case No. 1354
DECLARATION OF DALE WILLS
IN SUPPORT OF PETITIONER'S
MOTION FOR ORDER DIRECTING
CLERK TO ENDORSE FILE
PAPERS RETROACTIVELY

I, DALE WILLS, DECLARE AS FOLLOWS:

1. I am the Petitioner in the above-entitled action and make this declaration in support of my motion for order directing clerk to endorse file papers retroactively.

2. I have personal knowledge of the circumstances involved and matters stated herein and if called to testify to any of these matters I could do so competently.

3. On February 21, 2007, I mailed to this Court one complete original of a petition for writ of habeas corpus and supporting memorandum of points and authorities for the clerk's file, one complete copy for the district judge's personal use, one

ORIGINAL

1 complete copy for a magistrate judge's personal use, if needed,
2 and one complete copy for service upon the attorney general, all of
3 which is again submitted contemporaneously herewith. I also
4 provided an extra copy of the caption pages only and requested
5 that these caption pages be endorsed and returned to me for my own
6 records. I included a self-addressed stamped envelope for
7 this purpose. However, I never received any response.

8 4. On May 27, 2007, I transcribed and authored a letter
9 to this Court inquiring into the caption pages I requested to be
10 endorsed and returned. The clerk soon provided a response
11 that no petition has been received.

12 5. As a result of the foregoing, I would ask the Court to
13 direct the clerk to retroactively endorse-file the petition for
14 writ of habeas corpus and supporting memorandum of points and
15 authorities submitted contemporaneously herewith on the date
16 they were first mailed to this Court on February 21, 2007, as I
17 do not know what happened to the documents first mailed and it
18 is not beyond the realm of possibility that prison officials could
19 have lost the documents.

20 I declare under penalty of perjury under all applicable laws
21 that the foregoing is true and correct.

22 DATED: 6-19-2007

23 By: DALE WILLS
24 DALE WILLS
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